

From: Michael McCafferty
To: Microsoft ATR
Date: 1/23/02 10:48am
Subject: Microsoft Settlement

I wish to comment on the proposed settlement in the case of US vs. Microsoft.

While I believe that there are several shortcomings of the proposed settlement, I feel the greatest oversight is the weak provisions for enforcement of future conduct. The settlement as written provides many loopholes, and Microsoft's management have demonstrated their willingness to exploit any such loopholes in pursuing the letter of the law, at the expense of the spirit. Any company whose leadership would introduce false evidence into court, get caught, and replace it with other false evidence, cannot be counted on to abide by laws or codes of conduct which permit any ambiguity.

The current proposed settlement is tantamount to the DOJ walking away from a case that they've already won. Microsoft gained its current monopoly status illegally, and must be forced to behave like a monopolist. This proposed settlement will not significantly influence the behavior of Microsoft's executives. A new remedy should be sought.

Sincerely,

Michael McCafferty
2860 California St #10
San Francisco, CA 94115